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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,253	04/05/2000	Gopal Parupudi	MS1-0505US	7033

22801   7590   10/28/2008
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ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
10/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 July 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-64</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-23,31,32,37-47,54-57,61,63 and 64</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>24-30,33-36,48-53,58-60 and 62</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>08/18/2008</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicants' AMENDMENT filed on 06/23/2006

2.   Claims 1-23, 37-47, 54-57, 61 and 63-64 have been cancelled.

3.   Claims 24-36, 48-53, 58-60 and 62 are pending in this Application.

Response to Arguments

4.   Applicant's arguments, see Remarks, filed 07/21/2008, with respect to the

rejection(s) of claim(s) 24, 48, 58 and 62 under "wherein attributes assigned to goods or

services comprise a relative importance that identifies geographic importance relative to

a region" have been fully considered and are persuasive. Therefore, the rejection has

been withdrawn. However, upon further consideration, a new ground(s) of rejection is

made in view of Israni et al. (US Patent No. 5,968,109, hereinafter as ISRANI).

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

        Claims 24-30, 33-36, 58-60 and 62 rejected under 35 U.S.C. 101 the claimed

invention is directed to non-statutory subject matter.

        Claims 24 and 62 are not patent eligible subject mater because the "system" that

is lacking a piece of physical object to implement a series of steps or processes in the

body of claimed invention, is software per se. Subject matter within one or more of the

classes of § 101 is non-statutory if it falls within one of the exclusions. See In re Pardo,

684 F.2d 912, 916, 214 USPQ 673, 677 (CCPA 1982) ("[A]ny process, machine,

manufacture, or composition of matter constitutes statutory subject matter unless it falls

within a judicially determined exception to section 101."); In re Sarkar, 588 F.2d 1330,

1333, 200 USPQ 132, 137 (CCPA 1978) ("[A] series of steps is a 'process' within § 101

unless it falls within a judicially determined category of non-statutory subject matter

exceptions."). four categories of non-statutory subject matter and does not appear to fall

within the exclusions.

"Software per se" is non-statutory under 35 USC 101 because it is merely a set

of instructions without any defined tangible output or tangible result being produced.

The requirement for tangible result under 35 USC 101 is defined in *State Street Bank &*

Trust Co. v. Signature Financial Group Inc., 149 F.3d 1368, 47USPQ2d 1596 (Fed. Cir.

1998).

Claim 58 is a "method" claim, which recited a series of the steps without any

transformation. Therefore, the claimed subject matter do not produce a useful and

tangible result, or do not qualify as patent eligible process under 35 USC 101. There is

no transformation step underlying subject matter (such as an article or materials) to a

different state or thing. In order to qualify as a 101 statutory process, the claim should

positively recite the other statutory class to which it is tied, or positively recite the

subject matter that is being transformed. Thus the claim 58 are directed to non-

statutory subject matter in view of MPEP 2106 (IV)(C0(2)((1) & (2) & (a) & (b) & (c))

sections.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   Claims 24-28, 30, 48-49, 58-60 and 62 are rejected under 35 U.S.C. 103(a) as

being unpatentable over SIMONETTI (US Patent No. 5,295,261) in view of Israni et al.

(US Patent No. 5,968,109, hereinafter as ISRANI).

With respect to claim 24, SIMONETTI teaches one or more computer-readable

media (storage medium includes disks and tapes: col. 1, lines 64-67); and

a first hierarchical tree structure having multiple nodes associated with a is first

context, wherein the first hierarchical tree structure resides on the one or more

computer-readable media and the first hierarchical tree structure comprises a

standardized view of the Earth (this set of nodes (item 50 in fig. 3A) from the

hierarchical data in the distributed database is stored on the medium the first type of

tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58,col. 9,

see set of nodes of tree structure of 50 in fig. 3, the linked list is in the set of nodes tree

structure 52, city nodes, fig. 3A; the hierarchical tree data structure containing data in

navigational fields being stored in a topological map to be viewed; abstract);

at least one second hierarchical tree structure having multiple nodes

associated with a second context, wherein the second hierarchical tree structure

resides on the one or more computer-readable media and the at least one second

hierarchical tree structure comprises an organization-specific view of at least a portion

of the Earth, the organization-specific view comprising a physical/logical entity that links

into specific portions of the Earth (this set of nodes (item 60 in fig. 3B) from the

hierarchical data in the distributed database is stored on the medium, the set of nodes

of tree structure 60, which also has tow set of nodes 61 and 62; the linked list is in the

set of nodes tree structure 62, city nodes, fig. 3B and city nodes, state nodes and

distribution centers are physical and logical entities: fig. 6; the distribution center (fig.

6s') where the goods or services are distributed to its customer, services to a number of

city distribution centers and ship goods to the customer as specified in the node in fig 6,

sate and city. Thus, each unique ID node is assigned to goods or services based on the

regional distributed centers: col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-

24); and

at least one node from the at least one second hierarchical tree structure

being linked with one node on the first hierarchical tree structure by a link that is

configured to enable a complete context to be derived from the first and second

contexts (the two set of nodes tree structures have a set of nodes in common, in set 52

and in set 62, city nodes, this is a link that is derived from the first and second tree

structure (col. 9, lines 5-25), individual nodes having unique IDs that serve as a basis by

which attributes are assigned to goods or services (each node has each unique IDs and

to be assigned to goods or services based on the distributed centers: the nodes in the

tree structure such as topological map comprising unique identifier or unique ID, one

node for each unique value and each link of topology represents a relationship between

nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, SIMONETTI teaches

distribution center (fig. 6s') where the goods or services are distributed to its customer,

services to a number of city distribution centers and ship goods to the customer as

specified in the node in fig 6, sate and city. Thus, each unique ID node is assigned to

goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10,

lines 51-67 and col. 11, lines 1-24)); and

said multiple nodes comprising parent and children nodes, at least some of the

parent nodes and their associated children nodes having IDs that are unique for the

associated node (see figs. 2(c), 3s' and 6, the tree structures of nodes having parent

and children nodes, (city, state, distribution centers: col. 8, lines 12-25).

SIMONETTI teaches computer readable storages including disks and tapes and

a hierarchical tree structures storing in the storage medium containing a plurality of

nodes containing the information of country, states, counties and cities. Two set of

nodes of tree structures and both are linked thru via common nodes, city nodes, which

are derived from first and second set of nodes tree structure. SIMONETTI does not

explicitly teach wherein attributes assigned to goods or services comprise a relative

importance that identifies geographic importance relative to a region and the

organization-specific view has no context outside of the organization as claimed.

However, ISRANI teaches a hierarchical tree data structure for parcel services

with node having attributes of geographical data, longitude and latitude, physical

location in a geographic regional area (abstract, col. 1, lines 52-58, col. 5, lines 28-45

and col. 6, lines 36-67 and col. 7, lines 1-22 and col. 11, lines 48-67 and col. 12, lines 1-

15).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of SIMONETTI with the

teachings of ISRANI. One having ordinary skill in the art would have found it motivated

to utilize the use of attributes of the nodes as disclosed (ISRANI's fig. 2, abstract and

col. 11, lines 48-67 and col. 12, lines 1-15), into the system of SIMONETTI for the

purpose of providing geographic data on a physical storage medium for use in a

computer-based navigation system (ISRANI's col. 1, lines 20-26 and col. 2, lines 32-42).

With respect to claim 25, SIMONETTI teaches wherein the first and second

contexts comprise a location context (set of nodes of city and set of nodes of state and

address are location context nodes, these information is from geographical database:

col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

With respect to claim 26, SIMONETTI teaches wherein the nodes of the first

hierarchical tree structure comprise geographical divisions of the Earth (first tree

structure is comprising set of nodes of city names; the second tree structure is

comprising a set of nodes of state names: geographical names: col. 9, lines 1-25).

With respect to claim 27, SIMONETTI teaches wherein the nodes of the at

least one second hierarchical tree structure comprise physical and/or logical

entities (city nodes, state nodes and distribution centers are physical and logical

entities: fig. 6).

With respect to claim 28, SIMONETTI teaches wherein the first and the at

least one second hierarchical tree structures comprise a plurality of attributes, one

of which comprising information that pertains to the tree with which the node is

associated (city, state and distribution center in set of nodes tree structures 50 and 60 in

figs. 3A, 3B and 3C, col. 9, lines 1-45).

With respect to claim 30, SIMONETTI teaches comprising one or more goods or

services associated with one or more of the nodes of the at least one second

hierarchical tree structure (the distribution center (fig. 6s') where the goods or services

are distributed to its customer, services to a number of city distribution centers and ship

goods to the customer as specified in the node in fig 6, sate and city. Thus, each unique

ID node is assigned to goods or services based on the regional distributed centers (col.

5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)).

With respect to claim 48, SIMONETTI teaches access first and second

hierarchical tree structures, each tree structure having multiple nodes, the nodes of the

first hierarchical tree structure being associated with a first location context, the nodes

of the second hierarchical tree structure being associated with a second location

context, at least one node of the second hierarchical tree structure being linked with a

node of the first hierarchical tree structure (the first set of nodes tree structure and the

second set of nodes tree structure: fig. 3A, and 3B, col. 9, lines 5-20); and

traverse at least one node of each tree structure to derive a location context

(traversing the set of nodes tree structure of city nodes to the state nodes: col. 8, lines

20-26), at least one node in a traversal path that leads to a root node of the second

hierarchical tree structure being linked with a node of the first hierarchical tree structure,

individual nodes having unique IDs that can serve as a basis by which attributes can be

assigned to goods or services, said multiple nodes comprising parent and children

nodes, at least some of the parent nodes and their associated children nodes having

IDs that are unique for the associated node (the two set of nodes tree structures have a

set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived

from the first and second tree structure (col. 9, lines 5-25); also, each node has each

unique IDs and to be assigned to goods or services based on the distributed centers:

the nodes in the tree structure such as topological map comprising unique identifier or

unique ID, one node for each unique value and each link of topology represents a

relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also,

SIMONETTI teaches distribution center (fig. 6s') where the goods or services are

distributed to its customer, services to a number of city distribution centers and ship

goods to the customer as specified in the node in fig 6, sate and city. Thus, each unique

ID node is assigned to goods or services based on the regional distributed centers (col.

5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)).

With respect to claim 49, SIMONETTI teaches wherein the computing device automatically determines its location context (set of nodes of city and set of nodes of state and address are location context nodes, these information is from geographical database: col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

With respect to claim 58, SIMONETTI teaches receiving input from a source that specifies information pertaining to physical and/or logical entities; processing the information to define a hierarchical tree structure having a context (col. 9, lines 27-52 and col. 9, lines 1-48; also storage medium includes disks and tapes: col. 1, lines 64-67 and the first type of tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58);

linking at least one of the multiple nodes to a node of another tree structure having a context and multiple nodes that represent physical and/or logical entities, and the tree structure being configured for traversal in a manner that enables context to be derived from one or more of the nodes (city nodes, state nodes and distribution centers are physical and logical entities (fig. 6), the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25); also, each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, SIMONETTI teaches distribution center (fig. 6s') where the goods or services are distributed to its customer,

services to a number of city distribution centers and ship goods to the customer as
specified in the node in fig 6, sate and city. Thus, each unique ID node is assigned to
goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10,
lines 51-67 and col. 11, lines 1-24)). The tree structures being configured for traversal in
a manner that enables context to be derived from one or more of nodes (traversing the
set of nodes tree structure of city nodes to the state nodes: col. 8, lines 20-26; see fig.
6).

      SIMONETTI teaches computer readable storages including disks and tapes and
a hierarchical tree structures storing in the storage medium containing a plurality of
nodes containing the information of country, states, counties and cities. Two set of
nodes of tree structures and both are linked thru via common nodes, city nodes, which
are derived from first and second set of nodes tree structure. SIMONETTI does not
explicitly teach wherein attributes assigned to goods or services comprise a relative
importance that identifies geographic importance relative to a region and the
organization-specific view has no context outside of the organization as claimed.

      However, ISRANI teaches a hierarchical tree data structure for parcel services
with node having attributes of geographical data, longitude and latitude, physical
location in a geographic regional area (abstract, col. 1, lines 52-58, col. 5, lines 28-45
and col. 6, lines 36-67 and col. 7, lines 1-22 and col. 11, lines 48-67 and col. 12, lines 1-
15).

      Therefore, it would have been obvious to a person of ordinary skill in the art at
the time the invention was made to modify the teachings of SIMONETTI with the

teachings of ISRANI. One having ordinary skill in the art would have found it motivated

to utilize the use of attributes of the nodes as disclosed (ISRANI's fig. 2, abstract and

col. 11, lines 48-67 and col. 12, lines 1-15), into the system of SIMONETTI for the

purpose of providing geographic data on a physical storage medium for use in a

computer-based navigation system (ISRANI's col. 1, lines 20-26 and col. 2, lines 32-42).

With respect to claim 59, SIMONETTI teaches wherein the computing device

automatically determines its location context (set of nodes of city and set of nodes of

state and address are location context nodes, these information is from geographical

database: col. 1, lines 25-29, col. 4, lines 10-25 and col. 6, lines 40-48).

Claim 60 is essentially the same as claim 58 except that it is directed to a

computer-readable media rather than a method, and is rejected for the same reason as

applied to the claim 58 hereinabove.

With respect to claim 62, SIMONETTI teaches one or more computer-readable

media (storage means such as disk and tapes: col. 1, lines 65-67);

a first hierarchical tree structure having multiple nodes associated with a

first context, wherein the first hierarchical tree structure resides on the one or more

computer-readable media and the first hierarchical tree structure comprises a

standardized view of the Earth (this set of nodes (item 50 in fig. 3A) from the

hierarchical data in the distributed database is stored on the medium the first type of

tree for hierarchically organized data with adjacent links list: col. 7, lines 51-58,col. 9,

see set of nodes of tree structure of 50 in fig. 3, the linked list is in the set of nodes tree

structure 52, city nodes, fig. 3A; the hierarchical tree data structure containing data in

navigational fields being stored in a topological map to be viewed; abstract):

at least one second hierarchical tree structure having multiple nodes

associated with a second context, wherein the second hierarchical tree structure

resides on the one or more computer-readable media and the at least one second

hierarchical tree structure comprises an organization-specific view of at least a portion

of the Earth, the organization-specific view comprising a physical/logical entity that links

into specific portions of the Earth (this set of nodes (item 60 in fig. 3B) from the

hierarchical data in the distributed database is stored on the medium, the set of nodes

of tree structure 60, which also has tow set of nodes 61 and 62; the linked list is in the

set of nodes tree structure 62, city nodes, fig. 3B and city nodes, state nodes and

distribution centers are physical and logical entities: fig. 6; the distribution center (fig.

6s') where the goods or services are distributed to its customer, services to a number of

city distribution centers and ship goods to the customer as specified in the node in fig 6,

sate and city. Thus, each unique ID node is assigned to goods or services based on the

regional distributed centers: col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-

24); and

at least one node from the at least one second hierarchical tree structure

being linked with one node on the first hierarchical tree structure by a link that is

configured to enable a complete context to be derived from the first and second

contexts (the two set of nodes tree structures have a set of nodes in common, in set 52

and in set 62, city nodes, this is a link that is derived from the first and second tree

structure (col. 9, lines 5-25), individual nodes having unique IDs that can serve as a

basis by which attributes can be assigned to goods or services, said multiple nodes

comprising parent and children nodes, at least some of the parent nodes and their

associated children nodes having IDs that are unique for the associated node (each

node has each unique IDs and to be assigned to goods or services based on the

distributed centers: the nodes in the tree structure such as topological map comprising

unique identifier or unique ID, one node for each unique value and each link of topology

represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5).

Also, SIMONETTI teaches distribution center (fig. 6s') where the goods or services are

distributed to its customer, services to a number of city distribution centers and ship

goods to the customer as specified in the node in fig 6, sate and city. Thus, each unique

ID node is assigned to goods or services based on the regional distributed centers (col.

5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)); wherein the nodes of the

first hierarchical tree structure comprise geographical divisions of the Earth; wherein the

first and the at least one second hierarchical tree structures comprise a plurality of

attributes, one of which comprising information that pertains to the tree with which the

node is associated (state, city, address are geographical divisions of the Earth; also,

regional distribution centers and geographical database: col. 8, lines 12-25, col. 9, lines

16-45; also, see col. 4, lines 10-25).

    SIMONETTI teaches computer readable storages including disks and tapes and

a hierarchical tree structures storing in the storage medium containing a plurality of

nodes containing the information of country, states, counties and cities. Two set of

nodes of tree structures and both are linked thru via common nodes, city nodes, which are derived from first and second set of nodes tree structure. SIMONETTI does not explicitly teach wherein attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region and the organization-specific view has no context outside of the organization as claimed.

However, ISRANI teaches a hierarchical tree data structure for parcel services with node having attributes of geographical data, longitude and latitude, physical location in a geographic regional area (abstract, col. 1, lines 52-58, col. 5, lines 28-45 and col. 6, lines 36-67 and col. 7, lines 1-22 and col. 11, lines 48-67 and col. 12, lines 1-15).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of SIMONETTI with the teachings of ISRANI. One having ordinary skill in the art would have found it motivated to utilize the use of attributes of the nodes as disclosed (ISRANI's fig. 2, abstract and col. 11, lines 48-67 and col. 12, lines 1-15), into the system of SIMONETTI for the purpose of providing geographic data on a physical storage medium for use in a computer-based navigation system (ISRANI's col. 1, lines 20-26 and col. 2, lines 32-42).

8.   Claims 29, 33-36 and 50-53 are rejected under 35 U.S.C. 103(a) as being

unpatentable over SIMONETTI (US Patent No. 5,295,261) in view of Israni et al. (US

Patent No. 5,968,109, hereinafter as ISRANI) and further in view of Eldridge et al. (US

Patent No. 6,421,716, hereinafter ELDRIDGE).

        With respect to claims 29 and 33-36, SIMONETTI in view of ISRANI teaches a

system as discussed in claim 24.

        SIMONETTI and ISRANI disclose substantially the invention as claimed.

        SIMONETTI and ISRANI do not explicitly teach does not explicitly teach wherein

the information comprises a universal resource locator (URL); wherein the

computer-readable media is embodied on a mobile computing device; wherein the

computer-readable media is embodied on a desktop device; wherein the

computer-readable media is embodied a handheld mobile computing device; wherein

the computer-readable media is accessible to a computing device via the Internet as

claimed.

        However, Eldridge teaches Uniform Resource Locator (URL) (col. 4, lines 58-62);

Internet (col. 4, lines 45-46 and 62-64, item 122 in fig. 1, mobile computing devices (fig.

1, item 118, col. 4, lines 45-46), wireless devices (col. 3, lines 38-48).

        Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of SIMONETTI in view of

ISRANI with the teachings of ELDRIDGE.   One having ordinary skill in the art would

have found it motivated to utilize the use of Internet network with URL, mobile

computing devices, wireless device as disclosed (ELDRIDGE's col. 4, lines 40-67), into

the system of SIMONETTI for the purpose of having a method of for providing users of

mobile computing devices with context sensitive hierarchically service (ELDRIDGE's

col. 1, lines 20-22), thereby enabling user to have a means for offering users of mobile

computing devices to access the services that are the location at which the users are

physically situated (ELDRIDGE's col. 2, lines 15-30).

 With respect to claims 50-53, SIMONETTI in view of ISRANI teaches a medium

as discussed in claim 48.

 SIMONETTI and ISRANI disclose substantially the invention as claimed.

 SIMONETTI and ISRANI do not explicitly teach does not explicitly teach wherein

the computing device automatically determines its location context; wherein the

computing device is a handheld computing device; wherein the computing device is a

mobile computing device; wherein the computing device is a desktop device; and

wherein the computing device is a handheld computing device that automatically

determines its location context as claimed.

 However, Eldridge teaches Uniform Resource Locator (URL) (col. 4, lines 58-62);

Internet (col. 4, lines 45-46 and 62-64, item 122 in fig. 1, mobile computing devices (fig.

1, item 118, col. 4, lines 45-46), wireless devices (col. 3, lines 38-48).

 Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify the teachings of SIMONETTI in view of

ISRANI with the teachings of ELDRIDGE.   One having ordinary skill in the art would

have found it motivated to utilize the use of Internet network with URL, mobile

computing devices, wireless device as disclosed (ELDRIDGE's col. 4, lines 40-67), into

the system of SIMONETTI for the purpose of having a method of for providing users of

mobile computing devices with context sensitive hierarchically service (ELDRIDGE's

col. 1, lines 20-22), thereby enabling user to have a means for offering users of mobile

computing devices to access the services that are the location at which the users are

physically situated (ELDRIDGE's col. 2, lines 15-30).

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

       A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

10.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to ANH LY whose telephone number is (571) 272-4039 or
via E-Mail: ANH.LY@USPTO.GOV (Written Authorization being given by Applicant
(MPEP 502.03 [R-2])) or fax to **(571) 273-4039** (unofficial fax number directly to
examiner's office). The examiner can normally be reached on TUESDAY – THURSDAY
from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-
4107** or Primary Examiner, **Jean Fleurantin**, can be reached on **(571) 272-4035**.

        Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed
to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to:
Central Fax Center: (571) 273-8300.

ANH LY /AL/
OCT. 15th, 2008

/JEAN B. FLEURANTIN/
Primary Examiner, Art Unit 2162